

JFW

Please Direct All Correspondence to Customer Number **20995****AMENDMENT / RESPONSE TRANSMITTAL**

Applicant : Fraser et al.  
 App. No : 10/614,643  
 Filed : July 7, 2003.  
 For : SYSTEMS AND METHODS FOR  
 TREATING PATIENTS WITH  
 PROCESSED LIPOASPIRATE CELLS  
 Examiner : Lankford, Jr., Leon B.  
 Art Unit : 1651

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to:  
 Commissioner for Patents, P.O. Box 1450,  
 Alexandria, VA 22313-1450, on

September 29, 2006

(Date)

Eric S. Furman, Ph.D., Reg. No.45,664

**Mail Stop Amendment**

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Amendment and Response to Office Action in seven (7) pages.
- (X) Interview Summary in two (2) pages

The fee has been calculated as shown below:

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Excess Claims	30 - 96 = 0	1202 (\$50)	0 x 50 =	\$0
Excess Independent	1 - 3 = 0	1201 (\$200)	0 x 200 =	\$0
3 Month Extension	1.17(a)(3)	1253 (\$1,020)		\$1,020
<b>TOTAL FEE DUE</b>				<b>\$1,020</b>

- (X) An extension of time is hereby requested by payment of the appropriate fee indicated above.
- (X) A check in the amount of \$1,020 is enclosed.
- (X) Return prepaid postcard.

09/29/2006 ENVELOPE 209952224 12314540  
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09/29/2006

Docket No.: CYTH.002DV3

September 29, 2006

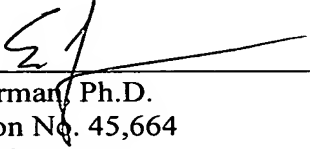
App. No.: 10/614,644

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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.



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Eric S. Furman, Ph.D.  
Registration No. 45,664  
Attorney of Record  
Customer No. 20,995  
(619) 235-8550

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CYTH.002DV5



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

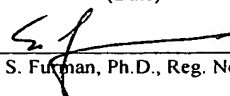
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Eric S. Furman, Ph.D., Reg. No.45,664

**INTERVIEW SUMMARY**

**Mail Stop Amendment**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The attached interview summary reflects the substance of the personal interview held between Examiner Lankford and the undersigned on September 13, 2006.

Appl. No. : 10/614,643  
Filed : July 7, 2003

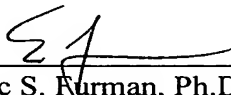
### SUMMARY OF INTERVIEW

Applicants wish to thank Examiner Lankford for the courtesy extended during the personal interview held on September 13, 2006 and the helpful comments made therein. During the interview between the undersigned and Examiner Lankford, the indefiniteness rejections 35 U.S.C. § 112, second paragraph, the utility rejections raised under 35 U.S.C. §§ 101, and the enablement rejections raised under 35 U.S.C. § 112, first paragraph, raised in the Office Action mailed March 30, 2006 were discussed. The undersigned and the Examiner also discussed proposed claim amendments. The undersigned and the Examiner agreed that a proposed claim directed to a method of processing a cell population that comprises adipose stem cells for reintroduction into a patient, comprising: removing adipose tissue that comprises adipose stem cells from said patient; introducing a first portion of the removed adipose tissue into a self-contained cell processing unit configured to maintain a closed pathway; separating said cell population that comprises said adipose stem cells from non-adipose tissue present in the tissue that was removed from said patient within said self-contained cell processing unit while maintaining said closed pathway; concentrating said cell population that comprises adipose stem cells with said self-contained cell processing unit while maintaining said closed pathway; mixing said concentrated cell population that comprises adipose stem cells with a second portion of adipose tissue within said self-contained cell processing unit while maintaining said closed pathway; and reintroducing said concentrated cell population that comprises concentrated adipose stem cells from said self-contained cell processing unit into said patient, would likely overcome the rejections of record.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Sept 29, 2006

By:   
Eric S. Furman, Ph.D.  
Registration No. 45,664  
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